

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID ANTHONY BREAUX.

No. 2:93-cv-0570 JAM DB

Petitioner.

DEATH PENALTY CASE

V.

WARDEN, San Quentin State Prison,

ORDER

Respondent.

17 The parties have jointly requested a continuation of the evidentiary hearing currently set to
18 begin on December 9, 2019 and amendment of the pre-evidentiary hearing scheduling order.
19 (ECF No. 324.) They seek permission to propose a new evidentiary hearing schedule by
20 February 25, 2020.

21 Good cause appearing, the parties' request (ECF No. 324) is granted and IT IS HEREBY
22 ORDERED that:

1. The evidentiary hearing currently scheduled to begin on December 9, 2019 is vacated;
2. The pre-evidentiary hearing dates set out in the court's May 1, 2019 order are vacated;
3. By February 25, 2020, the parties shall file a joint proposed schedule for the following: (a) filing and exchanging final witness lists and exhibit lists; (b) meeting and conferring regarding any possible stipulations to exhibits and foundations to exhibits; (c) filing any stipulations regarding exhibits and foundations to exhibits; and

1 (d) filing any pre-hearing motions. Thereafter, the court will set a new date for the
2 evidentiary hearing.

3 Dated: October 2, 2019

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6 DEBORAH BARNES
7 UNITED STATES MAGISTRATE JUDGE
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